

8. LAS GALLINAS RANCH TENTATIVE SUBDIVISION MAP AND DEVELOPMENT PLAN - LEGION PROPERTIES

Hearing to consider the application of Robert M. Lee on behalf of Legion Properties for the Las Gallinas Ranch Tentative Subdivision Map and Development Plan applications. The Subdivision Map and Development Plan applications have been made in substantial conformance with the Las Gallinas Ranch Master Plan, approved by the Marin County Board of Supervisors October 20, 1981. The Subdivision Map and Development Plan would create 49 individual home building sites and 6 townhouses on a parcel of 536 acres, with approximately 467 acres remaining in public and private open space. Three of the townhouse units would be designed as "below market" housing to meet the Marin County Code requirements for low and moderate income housing. The property is located at the northernmost edge of Marinwood, off the ends of Blackstone, Unionstone, Rhinestone Terrace, Heatherstone, and Las Gallinas Avenue, and adjoins the southernmost boundary of the City of Novato (Pacheco Valley). The property is further identified as Marin County Assessor's Parcels 164-290-59 and 75.

Speakers:

John C. Belz, Project Architect, said that he and the Landscape Architect were available for comment.

Irving Schwartz, Civil Engineer for project sponsor, commented on letter received from Mrs. Brovelli. He said her request for a curb and guardrail is inappropriate adjacent to her property. He is confident, however, that her concerns regarding drainage have been mitigated as indicated in the conditions of approval.

Action:

M/s Bull-Sessi: Move that the Planning Commission approve the Las Gallinas Ranch Tentative Subdivision Map and Development Plan be approved, subject to the conditions 1 through 46 in the staff report and adding a condition #47 as follows:

1. The development of the Las Gallinas Ranch shall be in substantial conformance with the Las Gallinas Ranch Master Plan, approved October 20, 1981 by the Marin County Board of Supervisors.
2. The final map and development plan shall be in substantial conformance with the tentative subdivision map prepared by Schwartz-Waag Associates, C.E., and Belz Associates, Architects, Las Gallinas Ranch Tentative Map, dated June 8, 1982, labeled "Exhibit A" in the Planning Department files, except as modified herein:
3. If multiple final maps are filed, the following shall be shown on the initial final map.
 - A. Parcel C shall be deeded to the Carmelite Monastery as Private Open Space - Scenic Easement without public access.
 - B. Parcel A shall be deeded to the Marinwood C.S.D. If the Marinwood C.S.D. fails to accept the property or should cease to exist, the parcel shall revert to the Marin County Open Space District.

- C. As per Condition P of the Master Plan approval, the agreement with the County of Marin for "below market" housing shall specify when the inclusionary housing units shall be constructed and offered to qualified households. It is expected that these units will be provided in the first or second phase of the project.
4. To improve lot configuration and to mitigate intrusion on the Carmelite Monastery, the lotting pattern and road alignment in the Blackstone Drive area shall be revised in substantial conformance with the plan entitled: Portion of Las Gallinas Ranch - Partial Site Plan Revised, dated September 27, 1982, labeled "Exhibit D" in the Planning Department files except that the configuration of lots 9, 10, 11, 12, and 13 on Exhibit D (lots 8, 9, 10, 11 and 12 in Exhibit A) shall be revised as generally shown in the exhibits.
 5. Offers of dedication shall be made to the County of Marin for the extensions of Heatherstone Drive, Las Gallinas Avenue, Rhinestone Terrace, Unionstone Drive and Blackstone Drive.
 6. Offers of dedication shall be made of all pedestrian easements. Pedestrian easements over common driveways shall be maintained by each group of lots which the driveway serves. In the event the remainder of the pedestrian easements are not accepted by the Marinwood C.S.D. or other public agency, maintenance of these shall be the responsibility of the homeowner's association.
 7. Minimum 15 foot drainage easements shall be provided over all new storm drains.
 8. The drainage easement shown running between lots 4 and 11 shall be positioned to include the creek and existing graded access road.
 9. Final determination on the number and location of drainage courses over which easements will be required and the width of those easements shall be subject to a field review of the Flood Control Section of the Department of Public Works.
 10. The final map shall specify the ownership of Parcels B and D.
 11. The boundary between lots 46 and 49 shall be moved to the west so that the upper 40 foot common driveway easement is contained on lot 49 rather than on lot 46 while the lower 40 foot driveway easement remains a panhandle on lot 46.
 12. The boundary between lot 48 and Parcel "B" shall be moved to the north so that the 40 foot common driveway easement is contained on lot 48 rather than on the community open space.
 13. The 40 foot access easement over the driveway serving lots 1 through 5 shall be extended further west across the entire frontage of lot 2 to end at the lot 1/lot 2 boundary. The lot 1 panhandle may be eliminated.
 14. A deed restriction, sight distance easement or other appropriate safeguard shall be established to prevent obstructions, limit vegetation height, and insure adequate vehicular sight distance at the northeast corner of lot 16.

15. All easement rights along the southerly boundary of the Carmelite property shall be quitclaimed with the exception of a minimum 15 foot pedestrian easement.
16. The proximity to the Carmelite Monastery of the Blackstone Drive extension and the southerly boundary of the lot immediately to the north of the Monastery shall be in accordance with the intent of existing private agreements between the Carmelite Monastery and Youth Activities of the Archdiocese of San Francisco.
17. The developer shall be responsible for repairing any damage or deterioration occurring to existing Marinwood streets as a direct result of construction activity. This may involve patching, sealing, or overlaying affected areas as appropriate and shall apply to but not necessarily be limited to Heatherstone Drive, Las Gallinas Avenue, Rhinestone Terrace, Unionstone Drive and Blackstone Drive.
18. At the tie-ins to the existing public streets, the developer shall be responsible for repairing, replacing or extending pavement, curb, gutter and sidewalk if necessary to create a continuously improved street.
19. The developer shall be responsible for reconstruction of existing frontage improvements along the frontage of 530 Blackstone Drive as necessary to conform with the Blackstone Drive realignment. Exact details shall be worked out at the improvement plan stage and may involve removal, relocation, addition and replacement of curb, gutter, sidewalk, driveway approach, landscaping or planter strip improvements.
20. The developer shall be responsible for cleaning, repairing and extending the existing concrete ditches just beyond and running parallel to the southerly property boundary as necessary to create a positive drainage stop. This work shall be subject to property owner approval which every reasonable attempt shall be made to obtain.
21. The pedestrian easement along the southerly boundary of the property shall be improved by the developer to a minimum four (4) foot width from Las Gallinas Avenue to the common driveway extending from Unionstone Drive. The pedestrian easement along the southerly boundary of lot 17 shall also be improved by the developer to a minimum four (4) foot width from Unionstone Drive to the westerly boundary of lot 17.
22. It is recommended that cul-de-sacs have a minimum 32 foot curb-to-curb radius.
23. Sidewalks shall be constructed on the extensions of public streets in accordance with the following:
 - A. Sidewalks shall be installed along both sides of the entire Rhinestone Terrace extension.
 - B. Sidewalks shall be installed around the entire circumference of the Heatherstone Drive, Rhinestone Terrace, and Unionstone Drive cul-de-sacs.

- C. Sidewalks shall be installed along at least one side of the Blackstone Drive and Las Gallinas Avenue extensions, specifically the west side of Blackstone Drive and the east side of Las Gallinas Avenue. The extent of sidewalk around the cul-de-sacs of these streets and the appropriateness of any sidewalk on the opposite side of these streets shall be subject to further review by the Department of Public Works.
24. The common driveways extending from Heatherstone Drive, Unionstone Drive and Blackstone Drive shall be improved by the developer as shown on the tentative map and in accordance with the following:
- A. The common driveway ending on lot 21 shall be extended to the lot 22 boundary.
 - B. A barrier and gate shall not be constructed across the driveway before the turnaround in the vicinity of lot 48.
 - C. The exact location of the turnarounds shall be subject to further review.
25. All lots which take access off of a common driveway shall have a minimum of four (4) offstreet parking spaces.
26. There shall be a separate driveway maintenance agreement for each group of lots served by a common driveway.
27. Subject to further review, additional grading, landscaping and irrigation may be required within the area between Blackstone Drive, the lot immediately to the north of the Monastery, and the westerly and southwesterly boundaries of the Carmelite Monastery as necessary to provide an adequate landscape screen and create a finished appearance. Grading and finished improvements shall allow driveway access to the existing gate. The landscape architect responsible for the original plan for this area should be involved in all revised plans in either a design or review capacity.
28. Landscape plans shall include landscaping along the pedestrian easements.
29. The following shall apply to the townhouse units lots 50 through 55.
- A. Parcel E shall be owned in common by lots 50 through 55.
 - B. The proposed drainage concept to include the suggested alignment of the proposed storm drain shall be subject to further review. Complete drainage calculations shall be submitted and the design shall include provisions to protect buildings in case of drainage system failure.
 - C. A minimum 15 foot drainage easement shall be provided over the drainage improvements.
 - D. All units shall have a minimum 20 foot setback from the rear of the sidewalk to the face of the garage.
30. Where sidewalks exist, front setbacks on all lots shall be measured from the rear of the sidewalk rather than the face of curb.

31. All recommendations in the soils report prepared by Donald Herzog & Associates dated June 11, 1982, including repair of all landslides within or near proposed building sites, shall be followed.
32. Asphalt pedestrian paths shall be contained by headerboards.
33. Appropriate master plan conditions shall become conditions of the tentative map.
34. The developer shall install a new fence along the southerly property boundary from Rhinestone Terrace to Unionstone Drive.
35. The developer shall install a fence on the northerly side of the pedestrian easement along lots 17, 22, 23, 31 and 32.
36. The developer shall install landscaping between the common driveway and southerly property line on lots 18 through 21 and 43 through 46.
37. The developer may be required to install a new concrete drainage ditch along the alignment of the existing earth swale northerly of A.P. 164-161-01 (2825 Heatherstone Drive). If necessary, the ditch shall extend from Heatherstone Drive to a new inlet at the rear of the lot.
38. The developer shall replace existing drainage inlets just beyond the southerly property boundary with new structures as necessary to provide positive drainage and connect up new drainage improvements.
39. Name the three driveways off Blackstone, Unionstone, and Heatherstone, as Lanes or Courts.
40. A barrier shall be provided at the southernmost end of the fire road adjoining Lot 27.
41. Parcel B; A separate Development Plan or plan amendment shall be required if any change in use is proposed other than a scenic easement or the use extant on the site.
42. The Conditions, Covenants, and Restrictions (C.C.&R.'s) required by Condition M. of the Master Plan approval shall include the following:
 - A. Parcel D Community Open Space without public access (8 acres + -) shall be for the benefit and use of those lots directly bordering the parcel.
 - B. Separate homeowners group shall be established to maintain the townhouse common area - Parcel E. The C.C.&R.'s for that group shall establish monthly townhouse area maintenance fees.
 - C. All parcels within the development shall have an undivided interest in Parcel B.
 - D. All parcels within the development shall participate equally in the maintenance and upkeep of Parcel B.

43. Landscaping:

- A. All areas: Traffic lane separator, townhouse site, common driveways, Pedestrian paths: The developer shall provide bonds for the following:
 - 1. Performance
 - 2. Maintenance and plant replacement - three (3) years.
- B. Upon completion, the landscape architect shall inspect all installed landscaping and shall certify in writing that the approved plan has been completed.
- C. For any new landscaping required for which there is no plan, the landscape architect shall submit a plan for review and approval by the Planning Director prior to installation.

44. Development Standards: Exhibit C (see attachment 7) is included as a general guide for setbacks.

As noted in Condition I of the Master Plan, all new dwellings shall be subject to design review. The single-family lots shall be developed in general conformance with the surrounding neighborhoods. Through the design review, building setbacks may be adjusted to protect existing tree growth, take advantage of topography or natural settings on a lot to preserve privacy between adjoining lots. Unless noted below, the building envelope shall extend no further than 125 feet from the front property line.

In many cases, a proposed drainage easement bisecting a lot will establish the rear of the building envelope.

- A. Front yards on flag lots or lots taking access from easements or over common driveways shall be measured in conformance with Marin County Code, Title 22, Section 22.72.020.
- B. Lot 16 - Blackstone Drive shall constitute the front property line.
- C. All lots with less than 125 foot depth shall have backyards measured in conformance with Marin County Code, Title 22, Section 22.72.030, with a minimum permitted rear yard of 20 feet.
- D. To the extent feasible, single family dwellings and townhouse units shall be designed to incorporate optimal solar orientation and active and passive solar design.

45. Townhouse Development: the townhouse development (Parcels 50-55) shall be in substantial conformance with the plans prepared by Belz Associates, Site Development Plan - Townhouses, labeled "Exhibit B, Sheets A-1 through A-3" in the Planning Department files, except as modified herein;

46. Prior to recordation of the final map, the County may require provision for solar access easements in the C.C.&R.'s or some other appropriate mechanism..

47. Prior to recordation of Final Map, the developer shall complete the requirements for fire protection as outlined in the July 28, 1982 letter from Jay E. Nehaus, Fire Chief, Marinwood Fire Department, labeled Attachment 4 in the Staff Report. "Condition H" of the Master Plan.

The roll-call vote was as follows:

AYES: Applen, Bull, Evans, Friedman, Sessi

NOES: None

ABSENT: McClellan, McQuat

The motion carried.

At this time the Chairman advised the applicant and others that this decision may be appealed to the Board of Supervisors within ten days of today's hearing.